

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

CASH HOMEBUYERS, INC., et al.,	)	CASE NO. 5:05CV2296
	)	
PLAINTIFF,	)	JUDGE PETER C. ECONOMUS
	)	
V.	)	
	)	
DEBORAH MORNINGSTAR,	)	
	)	ORDER
DEFENDANT.	)	
	)	

On November 14, 2005, this Court issued an order assigning this case to Magistrate Judge James S. Gallas for general pre-trial supervision (Dkt. # 7). On September 15, 2006, Magistrate Judge Gallas issued a report recommending, *inter alia*, that defendant's renewed motion to dismiss (Dkt. # 9) and renewed motion for change of venue (Dkt. # 15) be **GRANTED**. (Dkt. # 16).

FED. R. CIV.P. 72(b) provides that objections to a report and recommendation must be filed within ten (10) days after service, but Plaintiff has failed to timely file any such objections. Therefore, the Court must assume that Plaintiff is satisfied with the Magistrate Judge's recommendation. Any further review by this Court would be a duplicative and an inefficient use of the Court's limited resources. Thomas v. Arn, 728

F.2d 813 (6th Cir. 1984), aff'd, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir.1981).

Therefore, the Report and Recommendation of Magistrate Judge Gallas (Dkt. # 16) is hereby **ADOPTED**. Defendant's initial motion to dismiss (Dkt. # 3) is **DENIED AS MOOT**. Defendant's initial motion to transfer venue (Dkt. # 4) is **DENIED AS MOOT**. Defendant's renewed motion to dismiss and renewed motion for change of venue (Dkt. #s 9, 15) asserting lack of personal jurisdiction under Fed. R. Civ. P. 12(b)(2) are **GRANTED**.

Accordingly, the Court hereby **DISMISSES** the instant action without prejudice pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure for lack of personal jurisdiction.

**IT IS SO ORDERED.**

/s/ Peter C. Economus - October 5, 2006  
**PETER C. ECONOMUS**  
**UNITED STATES DISTRICT JUDGE**